ORDER.

Bangalore, dated 15th December 1969.

S. O. 32.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Belgaum City Municipal Council, Risaldar Galli, Belgaum on the points noted below;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Industrial Tribunal at Bangalore.

Points of Dispute.

Are the workers of Belgaum Municipal Council entitled for the following demands?

1. Such of the daily wagers who have been taken on monthly salary in response to our demand for implementation of the settlement be made permanent with retrospective effect from the date of their completion of six months' continuous service and be paid all the differences in their salary and allowances. Inspite of the latest strike, this demand (demand No. 1 contained in the notice of strike) has not been met.

2. All eligible workers be paid Rs. 25 each to compensate the loss sustained by them owing to the non-supply of Uniforms for the year 1967. The Unionforms for the year 1969 be kept ready for delivery during January 1969. This demand has also arisen out of the failure of the Municipality to fully meet the demand No. 2 contained in the Strike Notice dated 10th July 1967 and their failure to discharge their obligations under the settlements.

3. All the eligible workers be paid Rs. 8 each to compensate the loss sustained by them owing to the non-supply of chappals for the year 1967. The Chappals for the year 1969 be kept ready for delivery by January 1969.

This demand has also arisen out of the failure of the Municipality to fully meet the demand No. 9 contained in the strike notice and their failure to discharge their obligations under the settlements.

4. Such of the workers who are not being paid House Rent Allowance as per setttlements be paid the same with retrospective effect. This demand has arisen out of the failure of the Municipality to fully meet demand No. 3 contained in the notice of strike dated 10th July 1967.

5. The rate of House Rent Allownce payble to the employees covered by the previous settlements (especially employees of the Sanitary Department) be enhanced to bring it on par with the rate of H. R. A. applicable to other employees of the Municipality. This demand is made to remove the present disparity in the H. R. A. payable to the different employees of the Municipality.

6. Fifty more wet sweepers and forty more dry sweepers be appointed to reduce the present heavy load and pressure of work on the existing sweepers. This demand has arisen as a result of the addition of many new areas to the limits of the B. C. M. C. w. e. f. November 1967.

7. Cleaners be immediatly appointed to work on all motor vehicles of the Municipality. The Municipality has not yet appointed cleaners inspite of our demand No. 7 contained in the notice of strike dated 10th July 1967.

8. Recovery in respect of the 1959 and 1961 scales be waived and amounts, if any, recovered in the past on the count be refunded to the concerned workers. This is just a repeti tion of our demand No. 8 contained in our last notice of strike. We are forced to make the demand over again as the Municipality has not done any thing in the matter during the last year.

9. Supply of pipe water and electricity be made available to all the workers living in Municipal quarters. Every quarter should have electric light and a separate water tap. In spite of our demand No. 9 in our last notice of strike the

Municipality has not taken steps to improve the lot workers. Hence this demand.

10. The Municipal Kamagar Union be provided with a suitable room (free of rent or on nominal rent) in the new building of the Municipal Office for use as office of the Union. If no room is available for allotment in the new building, a room may be supplied in some other promises owned by the Municipality.

11. Sufficient number of plots be made available to the Municipal employees in the Mal Maruti Scheme. These plots be sold to them on concessional prices to be recovered in easy monthly instalments. Class III and Class IV employees should have a quota in the total area allotted for Municipal Employees according to their respective strengths. At least 50 Acres (instead of the present 15 Acres) be set apart for this purpose.

12. Various complaints and grievances of Class IV employees regarding "leave" detailed in our demand 12 of the last notice of strike have in spite of the assurances given to us, not been redressed so far. The complaints or grievances be redressed immediately.

13. Rule 24 (4) of the Mysore Minimum Wages Rules, 1958, is being continuously violated by the Municipality in that wages for the rest day are not being paid to daily wages in the service of the Municipality. This violation should be stopped forthwith and the eligible workers be paid with retrospective effect the arrears of their wages for the weekly days of rest.

14. At least 150 new quarters be constructed to be allotted to the Class IV employees of the Municipality. Inspite of the assurances given to us, the Municipality has not done anything in the matter during the last year.

15. The "Family Pension Scheme" applicable to the employees of the State Government as per the Mysore Government Servants (Family Pension) Rules 1964 be made applicable to the Municipal employees of Belgaum.

This demand was contained in our last notice of strike. But no progress appears to have been done in the matter up till now. Hence the demand is made over again.

16. The rate of Provident Fund Contribution be raised from 6¼ per cent to 8¼ per cent with retrospective effect from the date on which the rate was changed in respect of industrial employees covered by the P F. Scheme. The failure of the Municipality to deduct P. F. contribution at the rate of 8¼ per cent and to pay their own contribution of that rate is a violation of the settlement. This violation should be stopped forthwith and the Municipal Council should at least pay the difference of their contribution with retrospective effect.

17. G. P. F. Scheme should be introduced for the benefit of Municipal Employees.

18. Such of the workers of Ex-Shahapur Municipality whose services were taken over by the Belgaum Municipality on the merger of the former in the latter in the year 1954 be given advantage of their previous service with the Shahapur Municipality for the purposes of their gratuity and pension.

19. All the employees of the Village or Town Panchayat Committee like Angol, Vadagoan, Majagoan etc., who have been absorbed in the services of the B. C. M. C. consequent upon the merger of those areas in the limits of the B. C. M. C., be paid with retrospective effect the salaries and allowances payable to comparable employees of the B. C. M. C. These employees be also given all other benefits like supply of uniforms, chappals, additional payment for working on gazetted holidays, payment of house rent allowance etc.

20. A pair of chappals be supplied free of cost each year to the Sanitary Mukadams, drivers, cleaners, trapping coolies, peons in Octroi and Revenue Deptt. Malis and P. W. D. Coolies etc.

21. All Class IV employees who are at present getting cycle allowance at the rate of Rs. 6 per month be paid with retrospective effect from 1st April 1968 cycle allowance at the rate of Rs. 10 per month.

22 Mukdams, drivers, find it very difficult to get leave owing to lack of relieving staff. So also these workers are requested to bear additional heavy burdens of work when their collegues go on leave and or away from duty on their weekly offs. So 2 more Mukadams and 2 more drivers be immediately appointed as relievers.

23. Direct recruitment to various posts in different departments of the Municipality should not be made when the posts can conveniently be filled by promotion or transfer from one dept. to other of duly qualified employees of Municipality who are desirous of being promoted to or transferred to the posts to be filled in.

24 The area under the Jurisdication of the B.C.M.C. as on 31st October 1967 is divided into 6 sanitary divisions for the purpose of administration of the dept. Th se Divisions be reorginised into 8 divisions for effective functioning of the dept. and for the purpose of reducing the execessive burden and pressure of work especially on the supervisory staff like the Mukadams. The necessary additional staff be appointed.

25. The new area which has come in to Municipal limits w.e.f. 1st November 1967 be divided in to 6 new divisions for the purpose of administration of sanitary department and sufficient additional staff be appointed for the purpose.

26. The benefit of supply of Uniforms available at present to the drivers, Mukadams, peons, trapping coolies, malis, etc.. be enhanced as indicated below. At present they get 3 sets of uniforms every two years Henceforth they should be supplied with 2 sets of uniforms every year.

27. Shri P. D. Kangralkar and B. G. Nesargi who were working as Mukkadams in the Malaria Eradication Dept. were not and are not being paid cycle allowance; were not

and are not being supplied with rain coats. They be given these benefits with retrospective effect.

28. Shri M. S. Dhuraji, M J. Rajgoli carpenters and Shri. B.V. Dessurkar Black-Smith be supplied with Uniforms and Kambals free of costs as was being done previously. They be paid Rs.25/-per head per year to compensate for the non-supply of Uniforms and Rs.10/-per head per year to compensate for the loss of Kambals.

29. The mechanical worksop of the Municipality, which at present remains closed on Sundays and other gazetted holidays, should be kept open (working) on those days also with a view to avoid the stoppage of work that often occurs as a result of break-down of motor vehicles on such days.

30. Waterproof hand bags and diary books were being supplied to the Sanitary Mukadams in the past. This supply has been stopped during the last two years. The supply should be restored.

31. The Malis who have not been supplied with uniforms during the last few years be paid Rs.25/-per head per year to compensate for the loss sustained by them owing to non-supply of uniforms. They be supplied with uniforms hereafter.

32. Washing allowance being paid at the rate of Re.1/ per month to the drivers, mukadams, peons, trapping-coolies etc. be enhanced to Rs.3/-per month.

33. The sweepers attached to the Municipal Maternity Home are not being given weekly offs. This is a clear violation of the provisions of the Minimum Wages Act and the rules thereunder This violation of the rule be stopped forthwith. These sweepers be paid O. T. wages at double the normal rate for all those days they have been asked to and made to work on the weekly offs to which they were legally entitled in the post.

34. The benefit of free supply of uniforms which is being unjustly and illegally denied to temporary workers

and workers on daily wages be given to them w. e. f. their completion of 6 months continuous service with the Municipality.

35. The benefit of house rent allowance which is also being unjustly and illegally denied to temporary workers and workers on daily wages be given to them with effect from their completion of 6 months' continuous service with the Municipality.

36. The sweepers in the Municipal Maternity Home who are required to clean the cloth etc., be provided with a shed for the purpose.

37. Such of the workers of the Municipal Maternity Home as have not been supplied with uniforms be paid Rs 25 per head per year to compensate for the loss caused to them as a result of non-supply of uniforms. They be supplied uniforms free of cost hereafter.

38. Such of the works of theer Maternity Home as were required to work on Gazetted holidays but have not been paid O. T. wages for that work, be paid all the arrears of their O. T. wages.

39. Certain sweepers were required to do the additional work of cleaning the septic tanks of pubic latrines on 18th February 1968. They have not been paid their additional remuneration for that work. The agreed remuneration be paid to them immediately.

40. The washermen in the service of the Municipality though styled as part-time workmen are required to work for 8 hours or more each day. Their present wages salary of Rs. 45 per month is rediculously low. It be enhanced to that of a peon or a sweeper treating all those watchmen as full time workers.

41. All the workers eligible for receiving pension from the Municipality be paid D. A. at the rates of D. A. payable to Government Pensioners.

42. The fire fighting staff be supplied with the special type of clothes used by similar staff in other cities.

43. Certain workers of the Malaria Eradication department and P.W.D. who were working as daily wages have been against their desire, posted as sweepers and watch men. They be supplied suitable jobs (Posts) of their choice as soon as the jobs (posts) are available.

44. All sweepers who are required to work on night soil lorry and rubbish lorry are entitled to receive Rs. 6 per month as heavy duty allowance. Such of them who are not being paid that allowance be paid the same with retrospective effect.

45. The female workers eligible for receiving uniform be supplied with 9 yards saries instead of 8 yards saries as at present.

46. The B.C.M.C. should obtain at least 5 more rubbish lorries and 7 more night soil lorries.

47. Certain sweepers who, though present during their usual hours of duty, could not work as the night soil lorry or the rubbish lorry could not be started, have been wrongly and improperly marked absent on such days. They are not at fault. As such they should be marked present on those days by correcting the entries in the Muster Roll. They be paid the wages for such days-wages which have been wrongly and illegally withheld.

[No. FCL 927 LLD 68.]

By Order and in the name of the Governor of Mysore,

1794 G. G. PUROHIT, *Under Secy.*